

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
CHICAGO

MURL LAWSE,

Plaintiff,

Case No.: 1:22-cv-1863

v.

AMERICAN RIVER TRANSPORTATION
CO., LLC

Defendant.

COMPLAINT

NOW COMES Plaintiff, by and through counsel undersigned, O'BRYAN BAUN KARAMANIAN, complaining against Defendant as follows:

1. Jurisdiction and venue properly lie in this action, as Defendant conducts business within this forum's boundaries.
2. Jurisdiction is founded under the Jones Act (46 USCA 30104) for negligence, and under the General Maritime Law for unseaworthiness, maintenance and cure.
3. At all times material to issues herein, Plaintiff was employed by Defendant as a crewmember aboard its vessels, including the M/V Cooperative Vanguard with all acts and/or omissions giving rise to this action occurring within the course of Plaintiff's employment in the service of the vessel.
4. On or about March 7, 2020, Plaintiff was ordered to assist securing the forward starboard barge of the tow with an inordinately heavy and awkward two-part shorewire without adequate, safe, and competent supervision, work procedures, manpower, and equipment all while the vessel and tow were being actively maneuvered by the vessel captain, causing the shorewire

to suddenly and unexpectedly fall overboard, violently jerking Plaintiff's right shoulder and injuring same.

5. Defendant's tortious acts as stated above caused or contributed to Plaintiff's damages, *inter alia*, as follows:

- a. Pain and suffering, past future
- b. Mortification, humiliation, fright shock and embarrassment
- c. Loss of earnings and earning capacity
- d. Hospital, pharmaceutical and other cure expenses
- e. Aggravation of prior condition, if any there be
- f. Inability to engage in social, recreational, and other pursuits previously enjoyed
- g. Mental anguish
- h. Found
- i. Costs of securing alternative employment
- j. Maintenance, cure, and/or attorney fees

WHEREFORE, Plaintiff demands trial by jury and judgment against Defendant, together with interest, costs, attorney fees and expenses, all to be methodically adjusted upwards during the pendency of this cause.

Respectfully submitted,

O'Bryan Baun Karamanian

/s/ Gary Baun

Gary Baun (P28758)

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-and-

Burke, Warren, MacKay & Serritella, P.C.

/s/ Frederic Mendelsohn (w/ consent)

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